

ORDINANCE NO. 00173

An ordinance relating to a Board of Review for hearing appeals from the decisions of the Director of Public Health pursuant to Chapter 14.08 of the King County Code; defining membership of the board and prescribing duties.

Be it enacted by the County Council of King County, Washington as follows:

Section 1. There is hereby established a Board of Review hereafter referred to as the Sewer Disposal System Board of Review and referred to herein as the board.

Section 2. The board shall consist of three members, the Director of Public Health or his representative, the Director of the Department of Public Works, Utilities and Transportation or his representative, and the Sanitary or Civil Engineer appointed by the County Executive. In addition one Sanitary or Civil Engineer shall be appointed by the County Executive to provide an alternate in case of the absence of the regular engineer member or when in the judgment of the County Executive a conflict of interest exists or may exist. The engineer referred to for appointment by the County Executive shall serve a term of not to exceed two years or until such time as his successor is appointed and qualified.

Section 3. The board shall select one member as Chairman who shall serve for a term of one year and be subject to re-election. The Chairman shall conduct all meetings and do all things necessary so that determination of an appeal can be made.

Section 4. All meetings of the board shall be open to the public. Meetings shall be held at the call of the Chairman and at such other times as a majority of the board may determine. In any event meetings shall be held with such frequency that no more than thirty days shall elapse from the time an appeal has been received until the decision is returned to the Director of Public Health. Provided that if a continuance is

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granted at the request of the appellant, the board shall return its decision within a reasonable time following the ending of the hearing. Notice of the meetings shall be given to the appellant not less than three days prior to the hearing date. At the hearing, parties of interest may appear in person or by agent or attorney.

The board shall keep minutes of its proceedings showing the vote of each member upon every question decided by it or if any member is absent or fails to vote indicating such fact. Statements of the facts found by the board shall also be included in the minutes of each case heard or considered by it. The board may reverse or affirm, wholly or in part, or may modify the order, requirement, decision or determination being appealed as its opinion ought in law to be made premises. The reasons for its decisions shall also appear in the minutes. All decisions shall be by a majority vote of the members present and said decisions of the board shall be binding upon the Director of Public Health.

The board shall adopt its own rules of procedure, a copy of which shall be filed with the Clerk of the King County Council.

Section 5. An appeal from the requirements of the rules and regulations may be granted where there are unusual circumstances or conditions where the application of the requirement would cause undue and unnecessary hardship. No appeal shall be granted which would in any way tend to jeopardize the public health and safety and welfare or in any way tend to interfere with or prejudice the rights of others to comfortable enjoyment of life or property.

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Section 6. Any person, persons, firm, partnership, or corporation agrieved by the application of the rules and regulations promulgated by the Director of Public Health, pursuant to this chapter (King County Code Chapter 14.08) or to a ruling thereunder to land in which he has an interest may take an appeal to the Board of Review. Such appeal shall be taken within such time as shall be prescribed by said board by general rules adopted by it. The appeals shall be made on forms prescribed and provided by the Director of Public Health and filed with the Director of Public Health who shall accept the same upon payment of \$25.00 fee. Such exhibits as may be pertinent and reasonably necessary may be submitted with the appeal form. The Director of Public Health shall forthwith transmit to the Board of Review all documents and exhibits necessary for a hearing on the appeal.

PASSED THIS 17th DAY OF October, 1969.

KING COUNTY COUNCIL
KING COUNTY, WASHINGTON

John T. O'Brien
John T. O'Brien, Chairman

ATTEST:

Ralph R. Stender
Ralph R. Stender, Clerk

APPROVED THIS 23rd DAY OF October, 1969

John D. Spellman
John D. Spellman, County Executive

ORDINANCE READINGS

1st 9-29-69

2nd 10-11-69

3rd 10-17-69

Effective Date